

REMARKS

Status of Claims

Claims 1-33, 35-37, 43, 44, and 49-57 are pending in the present application.

An Office Action dated March 21, 2008 contained a Restriction Requirement.

In a Response and Amendment filed June 23, 2008, Applicants requested reconsideration of the Restriction Requirement as being directed to the claims pending prior to the Preliminary Amendment filed November 9, 2005, and as being improper.

In an Office Action dated October 7, 2008, the earlier Restriction Requirement was withdrawn in favor of a new Restriction Requirement. The Office Action indicated that the Response and Amendment filed June 23, 2008 was entered.

By way of this amendment, claims 20 and 29 has been amended, and claims 27-33, 43, 44 and 54-57 have been canceled.

Upon entry of this amendment, claims 1-26, 35-37 and 49-53 will be pending.

Summary of the Amendment

Claims 20 is amended to include an addition inhibitor to the list of inhibitors in the claim. Support for the amendment is found throughout the specification and claims as originally filed.

Claims 29 is amended to correct obvious typographical errors. Support for the amendment is found throughout the specification and claims as originally filed.

Claims 27-33, 43, 44 and 54-57 have been canceled as being directed to non-elected subject matter.

No new matter has been added.

Restriction Requirement

The Office has allegedly identified three different inventions: Group 1 (claims 1-26, 35-37 and 49-53), Group 2 (claims 27-33, 43 and 44) and Group 3 (claims 54-57). Further requires

an election of species with respect to election of a single cancer cell/species, election of a single ATP citrase lyase inhibitor and election of a single tricarboxylate transporter inhibitor.

Applicants elect Group 1 (claims 1-26, 35-37 and 49-53). Applicants elect the following species for initial examination on the merits: (a) glioblastoma cells as a set of cancer cells; (b) hydroxycitrate as an ATP citrase lyase inhibitor; and (c) phosphoenolpyruvate as a tricarboxylate transporter inhibitor. Each of the pending claims reads on glioblastoma cells. Claims 1-8, 10-20, 22-26 and 50-53 read on hydroxycitrate as an ATP citrase lyase inhibitor. Claims 1-3, 7, 16, 35-37 and 49-53 read on phosphoenolpyruvate as a tricarboxylate transporter inhibitor.

Conclusion

Claims 1-33, 35-37, 43, 44, and 49-57 are in condition for allowance. A notice of allowance is earnestly solicited. Applicants invite the Examiner to contact the undersigned at 610.640.7855 to clarify any unresolved issues raised by this response.

As indicated on the transmittal accompanying this response, the Commissioner is hereby authorized to charge any debit or credit any overpayment to Deposit Account No. 50-0436.

Respectfully Submitted,

/Mark DeLuca, Registration No. 33,229/
Mark DeLuca
Registration No. 33,229

Dated: November 7, 2008
PEPPER HAMILTON, LLP
400 Berwyn Park
899 Cassatt Road
Berwyn, PA 19312-1183
Telephone: 610-640-7855
Facsimile: 610-640-7835